

REMARKS

Status of the claims

Claims 1-33 are currently pending. Claims 1-18 are withdrawn from consideration as being drawn to a non-elected invention. Claims 22 and 23 stand rejected under 35 U.S.C. §112, second paragraph as lacking sufficient antecedent basis for the limitation "the amine agent in the capsule shell." Claims 19, 22-24, 30, and 32 stand rejected under §102(b) as being anticipated by Satoshi et al., EP 0 695 544 ("EP '544"). Claims 20, 21, 25-29, and 33 stand rejected under §102(b) as being anticipated by Black et al., U.S. 5,733,909 ("US '909"). Claims 22, 23, and 30 stand rejected under §102(b) as being anticipated by Adesunloye et al., U.S. 5,874,106 ("US '106"). Claim 31 stands rejected under §102(b) as being anticipated by "Collaborative Development of Two-Tier Dissolution Testing for Gelatin Capsules and Gelatin-Coated Tablets using Enzyme-Containing Media, Stimuli to the Revision Process", *Pharmacopeial Forum*, 25(5), 7045-7050 (1988) ("*Pharma. Forum*") and Digenis et al., J.Pharm. Sci. 83(7), 915-921 (1994) ("Digenis").

Claims 24-29 have been cancelled.

Claim 19 has been amended to require that the fill material comprises celecoxib. Support for this amendment may be found, for example, at paragraphs [0071] and [0074] of the specification, and original claim 29.

Claim 22 has been amended to specify that the amine agent in the fill material is present in an amount not more than about 10% of the composition on a dry weight basis. Support for this amendment may be found, for example, at paragraph [0029] of the specification.

Claim 23 has been amended to specify that the sulfite agent in the fill material and the sulfite agent in the capsule shell are present in a total amount not more than about 10% of the composition on a dry weight basis. Support for this amendment may be found, for example, at paragraph [0028] of the specification.

35 U.S. C. §112, second paragraph rejection

Reconsideration is respectfully requested of the rejection of claims 22 and 23 under §112, second paragraph. The phrase "the amine agent in the capsule shell" does not appear in claims 22 and 23 as amended, thus rendering moot the rejection of these claims under §112, second paragraph.

35 U.S. C. §102(b) rejections

Reconsideration is respectfully requested of the rejection of claims 19, 22-24, 30, and 32 under §102(b) as being anticipated by EP '544. Claim 24 has been cancelled, rendering moot its rejection. As amended, claim 19 requires that the fill material comprises celecoxib. EP '544 does not disclose celecoxib, and thus claim 19 is novel in view of EP '544. Similarly, claims 22, 23, 30, and 32, which depend from claim 19 (and thus also require celecoxib) are novel in view of EP '544.

Reconsideration is respectfully requested of the rejection of claims 20, 21, 25-29, and 33 under §102(b) as being anticipated by US '909. Claims 25-29 have been cancelled, rendering moot their

rejection. Claims 20, 21, and 33 require that the fill material comprises celecoxib. US '909 does not disclose celecoxib, and thus these claims are novel in view of US '909.

Reconsideration is respectfully requested of the rejection of claims 22, 23, and 30 under §102(b) as being anticipated by US '106. Claims 22, 23, and 30 require that the fill material comprises celecoxib. US '106 does not disclose celecoxib, and thus these claims are novel in view of US '106.

Reconsideration is respectfully requested of the rejection of claim 31 under §102(b) as being anticipated by *Pharma. Forum* and *Digenis*. Claim 31 requires that the fill material comprises celecoxib. Neither *Pharma. Forum* nor *Digenis* disclose celecoxib, and thus claim 31 is novel in view of *Pharma. Forum* and *Digenis*.

Conclusion

Applicants submit that the present invention is now in condition for allowance. Early allowance of all pending claims is respectfully solicited.

Respectfully submitted,



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